

Federal Defenders OF NEW YORK, INC.

Southern District
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November 9, 2021

VIA ECF

The Honorable Denise L. Cote
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

This request is denied. The issues related to the defendant's diagnosis have been known to counsel for many months. The sentencing date has been known since September 15. Defense submissions may be filed 12/3. The Government's submissions are due 12/7.

Re: **United States v. Tristan Rowe, 21 CR 19 (DLC)**

Dear Judge Cote:

I write to renew my request for a brief adjournment of Mr. Rowe's sentencing date, currently scheduled for December 10, 2021.

Tristan Rowe is diagnosed with autism spectrum disorder, a developmental disability that causes significant social, communication, and behavioral challenges. Mr. Rowe is also diagnosed with severe attention deficit hyperactivity disorder ("ADHD"), and anxiety, which has a significant impact on his daily functioning. These diagnoses, and the particular way in which Mr. Rowe experiences them, are a critical § 3353(a) factor that we expect the Court will consider at sentencing. To that end, my office is working to obtain all of the materials necessary to provide a thorough presentation to the Court. We have asked for Mr. Rowe to be evaluated by a psychologist, and are awaiting the results of that evaluation. We are also compiling extensive medical and psychiatric records, and collecting detailed letters from family and friends.

In addition, Mr. Rowe's diagnoses present some obstacles to leaving the home, and make a trip to New York particularly challenging. Mr. Rowe would like to appear before Your Honor in person, but will need to be accompanied by family. Both of his parents are employed, and travel after Christmas would be much easier for them.

*Denise Cote
11/9/21*

An adjournment of approximately 30 days would allow me to effectively prepare for sentencing, and would enable the Rowe family to travel after the holiday season.

Respectfully submitted,



Tamara L. Giwa
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Cc: AUSA Dina McLeod (via ECF)